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By: **Prince George's County Delegation**

Introduced and read first time: February 4, 2004

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Recordation - Assessment Books**  
3 **PG 405-04**

4 FOR the purpose of providing that, in Prince George's County, the Clerk of the Circuit  
5 Court may, under certain circumstances, record instruments effecting change of  
6 ownership of property prior to the transfer of the property on the assessment  
7 records; providing for the formulation of certain procedures; and generally  
8 relating to recordation of instruments in Prince George's County.

9 BY repealing and reenacting, with amendments,  
10 Article - Real Property  
11 Section 3-104(a)  
12 Annotated Code of Maryland  
13 (2003 Replacement Volume and 2003 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Real Property**

17 3-104.

18 (a) (1) Except as provided in paragraph (2) of this subsection, a deed or  
19 other instrument which effects a change of ownership on the assessment books under  
20 the Tax - Property Article may not be recorded until the property granted is  
21 transferred on the assessment books or records of the county where the property is  
22 located to the grantee or assignee named in the deed or other instrument. When  
23 submitting the deed or other instrument for transfer on the assessment books, the  
24 person offering the deed or other instrument, on request, shall mail or deliver to the  
25 person having charge of the assessment books, a statement of any building and  
26 improvement on the property granted. When the property is transferred on the  
27 assessment books, the person recording the transfer shall evidence the fact of transfer  
28 on the deed or other instrument. This endorsement is sufficient to authorize the  
29 recording of the deed or other instrument by the clerk of the appropriate court.

1                   (2)       (i)       The provisions of this paragraph apply only in the following  
2 counties:

- 3                               1.       Baltimore County;
- 4                               2.       Carroll County;
- 5                               3.       Cecil County;
- 6                               4.       Charles County;
- 7                               5.       Dorchester County;
- 8                               6.       Harford County;
- 9                               7.       Howard County;
- 10                              8.       Montgomery County;
- 11                              9.       PRINCE GEORGE'S COUNTY;
- 12                              [9.]    10. St. Mary's County;
- 13                              [10.]   11. Washington County; and
- 14                              [11.]   12. Worcester County.

15                           (ii)       The Clerk of the Circuit Court may record an instrument that  
16 effects a change of ownership if the instrument is:

- 17                           1.       Endorsed with the certificate of the collector of taxes of the  
18 county in which the property is assessed, required under subsection (b) of this section;  
19 and
- 20                           2.       Accompanied by:
  - 21                           A.       A complete intake sheet; and
  - 22                           B.       A copy of the instrument, and any survey, for submission  
23 to the Department of Assessments and Taxation.

24                           (iii)       The Supervisor of Assessments shall transfer ownership of  
25 property in the assessment records, effective as of the date of recordation, upon  
26 receipt from the Clerk of the Circuit Court of a copy of the instrument, the completed  
27 intake sheet, and any survey submitted under subparagraph (ii) of this paragraph.

28       SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of the Circuit  
29 Court for Prince George's County, the Administrative Office of the Courts, the State  
30 Department of Assessments and Taxation, and the collector of taxes for Prince  
31 George's County may formulate the procedure governing recordation of instruments

1 as authorized under this Act, so as to simplify the procedures for recordation of  
2 instruments while ensuring the integrity of the land and assessment records.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2004.